

Introduced by Senator Steinberg

February 19, 2010

An act to add Section 14516 to the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1348, as introduced, Steinberg. California Transportation Commission: guidelines.

Existing law generally provides for programming and allocation of state and federal funds available for transportation capital improvement projects by the California Transportation Commission, pursuant to various requirements. Existing law authorizes the commission, in certain cases, to adopt guidelines relative to its programming and allocation policies and procedures.

Existing law generally requires regulations adopted by state agencies to be reviewed and approved by the Office of Administrative Law pursuant to the Administrative Procedure Act. A regulation is required to be consistent with the statute to which it pertains. Existing law provides that no state agency may issue, utilize, enforce, or attempt to enforce any guideline that is a regulation, as defined, unless the guideline has been adopted as a regulation.

This bill would provide that guidelines adopted by the commission shall have no force or effect unless adopted as regulations pursuant to the Administrative Procedure Act.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14516 is added to the Government Code,
2 to read:
3 14516. Guidelines adopted by the commission shall have no
4 force or effect unless adopted as regulations pursuant to the
5 Administrative Procedure Act (Chapter 3.5 (commencing with
6 Section 11340) of Part 1).

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